

DRAFT STANDARD  
APRIL, 2000

## **INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES**

### **GUIDELINES FOR THE PREPARATION OF REGULATED PEST LISTS**

**Secretariat of the International Plant Protection Convention  
Food and Agriculture Organization  
of the United Nations  
Rome, 200-**

**CONTENTS**

**INTRODUCTION**

<b>Scope</b>	3
<b>References</b>	3
<b>Definitions, abbreviations and acronyms</b>	3
<b>Outline of requirements</b>	3

**GENERAL REQUIREMENTS** 6

<b>1. IPPC obligations</b>	6
<b>2. Types of pest lists</b>	6
<b>3. Purpose of a list of general regulated pests</b>	7
<b>4. Purpose of a list of specified regulated pests</b>	7
<b>5. The application of phytosanitary measures</b>	7
5.1 Unlisted pests	8
5.1.1 Pests not listed as general regulated pests	8
5.1.2 Pests not listed as specified regulated pests	8
5.2 Non-application of phytosanitary measures for listed pests	8
5.3 Emergency actions and provisional measures	9
<b>6. Absence of lists of specified regulated pests</b>	9

**SPECIFIC REQUIREMENTS** 9

<b>1. Types of pests</b>	9
<b>2. Categories of regulated pests</b>	10
<b>3. Criteria for listing general and specific regulated pests</b>	10
<b>4. Procedures for establishing lists of regulated pests</b>	10
4.1 Minimum information	10
4.2 Supplementary information	11
4.3 Sources of information	11
4.4 Placement of lists	11
<b>5. Maintaining pest lists</b>	12
<b>6. Distribution and communication of pest lists</b>	12
6.1 Official distribution	12
6.2 Requests for pest lists	13
6.3 Format and language	13

## INTRODUCTION

### Scope:

This standard describes the role of lists of regulated pests as they relate to the application of phytosanitary measures, and procedures to establish, maintain and distribute these lists as the means for NPPOs to specify the pests for which phytosanitary measures are applied.

### References

*International Plant Protection Convention* (1997)  
*Agreement on the Application of Sanitary and Phytosanitary Measures* (WTO, 1994)  
*Glossary of phytosanitary terms* (ISPM No. 5; 1999)  
*Guidelines for surveillance* (ISPM No. 6)  
*Guidelines for pest risk analysis* ISPM 2  
*Determining pest status in an area* ISPM 8  
*Pest risk analysis for quarantine pests* (ISPM in draft)  
*Guidelines for phytosanitary certificates* (ISPM in draft)  
*Guidelines for the notification of interceptions and non-compliance* (ISPM in draft)

### Definitions, Abbreviations and Acronyms:

(\*) indicates terms/definitions not included in the Glossary of Phytosanitary Terms (1999) or not appearing as indicated in this listing.

Additional declaration	A statement that is required by an importing country to be entered on a phytosanitary certificate and which provides specific additional information pertinent to the phytosanitary condition of a consignment
Certificate	An official document which attests to the phytosanitary status of any consignment affected by phytosanitary regulations
Commodity	A type of plant, plant product or other regulated article being moved for trade or other purpose
Commodity pest list	A list of pests occurring in an area which may be associated with a specific commodity
Commodity class	A category of similar commodities that can be considered together in phytosanitary regulations
Consignment	A quantity of plants, plant products and/or other regulated articles being moved from one country to another and covered when required by a single phytosanitary certificate (a consignment may be composed of one or more lots)
Contaminating pest	A pest that is carried by a commodity and, in the case of plants and plant products, does not infest those plants or plant products

## ***Guidelines for the Preparation of Regulated Pest Lists***

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Emergency action*	A phytosanitary action undertaken in the face of a new and/or unexpected phytosanitary situation. Emergency action may or may not be associated with, or followed by, the establishment of emergency measures
Interception (of a pest)	The detection of a pest during inspection or testing of an imported consignment
IPPC	Acronym for the International Plant Protection Convention, as deposited in 1951 with FAO in Rome and as subsequently amended
NPPO	Acronym for National Plant Protection Organization
Official	Established, authorized or performed by a National Plant Protection Organization
Official control*	The application and active enforcement of mandatory phytosanitary regulations or procedures for the eradication or containment of quarantine pests or for controlling the level of infestation by regulated non-quarantine pests.
Pest	Any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products
Pest status (in an area)	Presence or absence, at the present time, of a pest in an area, including where appropriate its distribution, as officially determined using expert judgement on the basis of current and historical pest records and other information
Phytosanitary certificate	Certificate patterned after the model certificates of the IPPC
Phytosanitary certification	Use of phytosanitary procedures leading to the issue of a phytosanitary certificate
Phytosanitary measure	Any legislation, regulation or official procedure having the purpose to prevent the introduction and/or spread of pests
Phytosanitary procedure*	Any officially prescribed method for developing or implementing phytosanitary regulations including the performance of inspections, tests, surveys or treatments in connection with regulated pests
Phytosanitary regulation*	Official rule to prevent the introduction and/or spread of quarantine pests, or to limit the economic impact of regulated non-quarantine pests, including establishment of procedures for phytosanitary certification
Provisional measure*	Phytosanitary regulations or procedures established without full technical justification owing to immediate lack of adequate information. They are subjected to full technical justification as soon as possible.

Quarantine pest	A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled
Regulated non-quarantine pest	A non-quarantine pest whose presence in plants for planting affects the intended use of those plants with an economically unacceptable impact and which is therefore regulated within the territory of the importing contracting party
Regulated pest	A quarantine pest or a regulated non-quarantine pest
Specified pest*	A regulated pest officially listed by an importing country for the purposes of phytosanitary certification of a particular commodity by an exporting country

### **Outline of Requirements**

The International Plant Protection Convention (IPPC) requires contracting parties establish and update lists of regulated pests and to specify pests for phytosanitary certification purposes. This standard provides guidelines for meeting these obligations by describing the types of pest lists, their purpose, and their relationship to phytosanitary procedures.

Two types of pest lists are described:

- General regulated pests; and
- Specified regulated pests.

Criteria and information required for listing regulated pests are described. Procedures for requesting and making lists available are included.

### **GENERAL REQUIREMENTS**

Pest lists are established and used for many different purposes. One of the most fundamental and essential pest listing efforts is associated with developing and maintaining adequate information on the status of pests occurring within territories under the jurisdiction of the National Plant Protection Organization (NPPO). This type of pest list is a prerequisite to the determination of pest status for exotic organisms (see IPPC Art VII.2j) and is therefore crucial to other pest listing exercises such as those discussed herein. Likewise, lists of pests associated with specific crops or commodities are necessary prerequisites for Pest Risk Analysis (PRA), which itself involves stages of pest listing and provides the basis for determining whether phytosanitary measures are justified and the strength of measures to be applied for specific pests and circumstances.

#### **1. IPPC Obligations**

The listing and distribution of lists of regulated pests is an explicit obligation for contracting parties to the IPPC. Article VII.2i states:

*Contracting parties shall, to the best of their ability, establish and update lists of regulated pests, using scientific names, and make such lists available to the Secretary, to regional plant protection organizations of which they are members and, on request, to other contracting parties.*

This is closely associated with other provisions of Article VII regarding the provision of phytosanitary requirements, restrictions and prohibitions (VII.2b) and the provision of the rationale for phytosanitary requirements (VII.2c).

In addition, the certifying statement of the Model Phytosanitary Certificate annexed to the Convention refers to:

*... quarantine pests specified by the importing contracting party and ... phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.*

#### **2. Types of pest lists**

A *list of general regulated pests* is a particular type of pest list that plays a central role in preventing the introduction and/or spread of harmful pests and facilitating safe trade by enhancing transparency. A list of general regulated pests is established and maintained by the importing contracting party to identify pests that have been determined by the NPPO to require phytosanitary measures. These pests are the basis for prohibitions, restrictions, or requirements, including the application of phytosanitary measures upon their detection.

A *list of specified regulated pests* is provided by the importing contracting party to the exporting contracting party as the means to make known to the exporting contracting party those quarantine pests for which inspection, testing or other specific phytosanitary procedures are required by the importing contracting party as part of certification for particular consignments.

### **3. Purpose of a list of general regulated pests**

The primary purpose for establishing and maintaining a list of general regulated pests is to increase transparency associated with the application of phytosanitary measures by making clear the pest basis for measures. A pest list is made to systematically identify quarantine and regulated non-quarantine pests that have been determined by the NPPO to be the basis for phytosanitary prohibitions, restrictions or requirements. It is also to facilitate listing quarantine pests that are the object of specific inspection, testing ort other specific phytosanitary procedures required for certification purposes.

A list is established by the NPPO of the importing contracting party based on decisions taken regarding the need for phytosanitary measures and the establishment of corresponding requirements for specific pests, often in conjunction with specific articles such as commodities, or specific situations such as location or a season. PRA provides the technical justification for associating pests with phytosanitary measures and the basis for determining the strength of measures to be applied.

This list does not in itself communicate requirements but provides a convenient and timely summary of pests decided by the NPPO to require phytosanitary measures. This list is subject to modification as a result of new information, PRA, and changing conditions. It should therefore not be considered either permanent or comprehensive.

Pest lists may also be useful as the basis for harmonization where several contracting parties with similar and shared phytosanitary concerns agree on pests that are listed for a group of countries or a region. This may be done through regional plant protection organizations.

### **4. Purpose of a list of specified regulated pests**

The primary purpose of a list of *specified regulated pests* is to make known the the exporting contracting party those regulated pests for which inspection, testing or other specific phytosanitary procedures are required by the importing contracting party as part of certification for particular consignments. The means for specifying regulated pests is a pest list drawn up by the importing contracting party for phytosanitary certification purposes based on a PRA, including the determination of import conditions for a consignment in advance of its import.

In instances where a phytosanitary certificate is not required by the importing contracting party, the exporting contracting party may nonetheless request that the importing contracting party provide a list of specified regulated pests which should be prepared and supplied by the NPPO of the importing contracting party as if it were for certification.

### **5. The application of phytosanitary measures**

Phytosanitary measures may be applied for pests that are not included in a list of specified regulated pests or do not occur on the list of regulated pests. An NPPO may also decide not to apply phytosanitary measures for a listed pest.

## ***Guidelines for the Preparation of Regulated Pest Lists***

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### **5.1 Unlisted pests**

The application of phytosanitary measures for unlisted pests will normally occur where a pest was not anticipated, is newly discovered, or cannot be completely identified. It may also be the case where a list of specified regulated pests is not complete or updated in a timely manner.

#### **5.1.1 Pests not listed as general regulated pests**

Certain pests may be deemed to require phytosanitary measures without being listed as general regulated pests. These pests may be previously unknown but have been provisionally categorized as regulated pests because the NPPO has reasonable cause to believe they pose a phytosanitary threat. It is incumbent upon the NPPO that gives a pest provisional status to:

- be able to provide a sound technical basis for deciding on provisional-regulated status;
- actively pursue additional information and complete a PRA to establish in a timely manner the regulated or non-regulated status of the pest.

In some instances, unlisted pests may require phytosanitary measures because the pest cannot be adequately identified. This may be because the specimen is poor or the life stage being examined cannot be identified to the required taxonomic level. In such cases, the NPPO of the importing contracting party should have a sound technical basis for the application of phytosanitary measures.

Where pests are routinely found in a form that does not allow for adequate identification (e.g., eggs, early instar larvae, imperfect forms, etc.), and such pests in this state are deemed to require phytosanitary measures, NPPOs should add such pests to the list of general regulated pests and relevant lists of specified regulated pests, noting the identification problem and the basis for requiring measures.

#### **5.1.2 Pests not listed as specified regulated pests**

Phytosanitary measures may be applied for pests that are not included in the list of specified pests. These pests may be among the pests identified as regulated by the NPPO of the importing contracting party but were not specified because they were not anticipated for the origin, commodity, or circumstances for which the list of specified regulated pests was developed. Such pests should be included on the list of specified regulated pests as soon as the NPPO of the importing contracting party determines that the occurrence of the pest is not an anomaly. In other cases, pests requiring phytosanitary action may not be listed as specified regulated pests because they are newly discovered or cannot be adequately identified (see also Section 4.1 of Specific Requirements).

### **5.2 Non-application of phytosanitary measures for listed pests**

NPPOs should not apply measures for pests listed as regulated. This may be the case where measures are not technically justified in a particular situation or the NPPO has taken the decision for other reasons not to apply measures.



### **5.3 Emergency actions and provisional measures**

Emergency actions may be taken for any pest (whether specified or not), and involve the application of phytosanitary measures in reaction to new or unanticipated risks. Emergency measures may be either provisional or permanent. Provisional measures are adopted where there is insufficient time or information for an adequate PRA. Although most provisional measures are associated with emergency actions, provisional measures may also be put in place where it is the intent to collect additional information to support or improve PRA.

### **6. Absence of lists of specified regulated pests**

In instances where a list of specified regulated pests is not supplied by the importing contracting party, it is only possible for the NPPO of the exporting contracting party to certify based on known requirements. In such instances, the NPPO of the importing contracting party should undertake to develop and communicate necessary lists as soon as possible.

## **SPECIFIC REQUIREMENTS**

### **1. Types of pests**

Four types of pests are recognized for pest listing purposes:

*Technically justified, with requirements* – Pests for which prohibitions, restrictions or requirements have been established based on PRA.

*Technically justified, without requirements* – Pests for which a PRA has been done to indicate that the pest would require measures in any manageable pathway. Specific prohibitions, restrictions or requirements have not been put in place because the pest has no specific pathway (e.g., contaminating pest) or has no known pathway at the time it was evaluated. The latter situation may occur where a pest is known to be serious but its pathway for introduction not yet been identified.

*Provisional pests* – Pests for which provisional measures have been applied pending a full PRA and determination of the regulatory status and strength of measures (if any) to be applied.

*Unknown or undetermined pests* – Pests that are unanticipated, previously unknown, or cannot be identified. Such pests are not listed, but can provide the basis for the application of emergency measures where deemed to pose an unacceptable risk, and should be considered for listing based on additional experience and information.

The above categories are not rigid. Pests may be reclassified based on new information and circumstances. The most common change will likely be the conversion of *provisional pests* to *technically justified pests with requirements*, and the conversion of *unknown pests* to *provisional pests* as a result of new information. However, it is likewise possible that new information could lead to a *technically justified pest with requirements* being converted to a *provisional pest* due to changes in taxonomy.

## ***Guidelines for the Preparation of Regulated Pest Lists***

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### **2. Categories of regulated pests**

Regulated pests may be categorized according to the defining criteria for quarantine and regulated non quarantine pests:

- Quarantine pest, not present (in the territories of the importing contracting party);
- Quarantine pest, present but not widely distributed and under official control;
- Regulated non-quarantine pest.

### **3. Criteria for listing general and specific regulated pests**

Pests are added or removed from lists of regulated pests based on specific criteria. These criteria correspond to the provisions of the IPPC requiring that:

- pests meet the defining criteria for quarantine or regulated non-quarantine pests to be regulated, (Article II – Regulated pest);
- only regulated pests are eligible for phytosanitary measures, (Article VI.2);
- phytosanitary measures are technically justified, (Article VI.1b);
- and PRA provides the basis for technical justification, (Article II – Technically justified).

A list of pests that meet the defining criteria for regulated pests only identifies pests for which phytosanitary measures may be applied. PRA is required to determine that measures are necessary and the strength of measures to be applied. Therefore, a list of regulated pests may include pests for which measures are not required. However, a list of specified regulated pests should not include pests for which phytosanitary measures are not required since it is not useful for phytosanitary certification purposes to list pests which are not the basis of requirements.

Pests that are the basis for established legislation or requirements must be reflected in a list of regulated pests and in relevant lists of specified regulated pests.

### **4. Procedures for establishing lists of regulated pests**

Lists of regulated pests are established by the NPPO of the importing contracting party based on the criteria described above. Procedures involve listing pests with certain essential accompanying information.

#### **4.1 Minimum information**

The minimum of information to be associated with a list of regulated pests includes:

*Name of pest* – The scientific name of the pest is used for listing purposes. To the extent possible, the pest should be identified as a distinct taxonomic entity. The taxonomic unit for the pest is generally a species. The use of a higher or lower taxonomic level should be supported by scientifically sound rationale and, in the case of levels below the species, by evidence demonstrating

that factors such as differences in virulence or susceptibility are significant enough to justify making the distinction. In cases where a vector is involved, the vector may also be considered a pest to the extent that it is associated with the causal organism and is required for transmission of the pest. Where pests cannot be adequately identified, there should be a technically sound rationale to support considering the pest(s) regulated.

The scientific name for arthropod and plant pests should be complemented by the Family name. The common terms for major taxonomic groups (e.g., mollusk, virus, nematode, etc.) should accompany the scientific name of other pests.

*Pest category* – Quarantine pest, not present; quarantine pest, present but not widely distributed and under official control; or regulated non-quarantine pest (see 2 above).

*Association with regulated article(s)* – Host commodities or other articles that are regulated for the listed pest(s) or which may be pathways for pest introduction are identified.

*Level of specificity* – The taxonomic level which is the level for the application of measures is specifically identified.

Where codes are used for any of the above, the NPPO responsible for the list should also make available appropriate information for its proper understanding and use.

### **4.2 Supplementary information**

Additional information that may be provided where appropriate includes:

- Synonyms;
- Reference to pertinent legislation, regulations, or requirements;
- Reference to a pest data sheet or PRA;
- Reference to categorization or other provisional information;
- Reference to a record of changes in the status of the pest and the rationale for changes

### **4.3 Sources of information**

The NPPO is responsible for procedures to establish lists of general regulated pests and to produce lists of specified regulated pests. However, information used for listing purposes may come from various sources within or outside the NPPO including other agencies of the contracting party, other NPPOs, regional plant protection organizations, academia, scientific researchers, and other sources.

### **4.4 Placement of lists**

Pest lists or portions of pest lists established by the importing NPPOs may be included in legislation, regulations, or requirements. Due to the dynamic nature of pest lists, the establishment and updating of official lists through legal and regulatory processes may not be sufficiently responsive to needs. Contracting parties should create operational mechanisms for establishing, maintaining and distributing lists in a responsive manner.

### **5. Maintaining pest lists**

The NPPO is responsible for maintaining pest lists. This involves updating lists and appropriate record keeping.

Lists of general regulated pests and lists of specified regulated pests require updating when new pests are added or the status of listed pests changes, or when information is added or changed for listed pests. The following are some of the more common reasons for updating these lists:

- New prohibitions, restrictions or requirements;
- Change in pest status (see ISPM 8);
- PRA (including preliminary analyses done for provisional pests);
- Change in taxonomy

The updating of pest lists should be done as soon as the need for modifications is identified. Formal changes in legal instruments, where appropriate, should follow as quickly as possible.

It is desirable for NPPOs to keep appropriate records of changes in pest lists over time, (e.g., rationale for change, date of change) for reference and to facilitate response to inquiries that may be related to disputes.

### **6. Distribution and communication of pest lists**

Operational lists of regulated pests are established and maintained by the NPPO. All or portions of these lists may also be included in legislation, regulations or requirements. The IPPC makes provision for the official distribution of lists and languages to be used.

#### **6.1 Official distribution**

The IPPC requires that contracting parties make lists of regulated pests available to the Secretary and regional plant protection organizations to which they are members. They are further obliged to provide such lists to other NPPOs upon request (Article VII.2j).

Official lists of regulated pests may be made available to the Secretary in written or electronic form, or by indicating to the Secretary where such information is publicly available (e.g., on the Internet). Pest lists may be provided by the Secretary to NPPOs for information purposes, but are not official. Pest lists may also be provided by the Secretary to other organizations or individuals only after first consulting with the NPPO responsible for the list.

The means for making pest lists available to regional plant protection organizations is decided within the organization. However, it is important to recognize that the provision of lists by regional plant protection organizations is not official and does not satisfy the requirement for contracting parties to make provision for the establishment, maintenance, and distribution of such lists directly.

## **6.2 Requests for pest lists**

NPPOs may request lists of general regulated pests or lists of specified regulated pests from other NPPOs. Requests may be for:

- Clarification of the regulatory status for particular pests;
- Specification of quarantine pests for certification purposes;
- Regulated pests for particular commodities or consignments;
- Information concerning regulated pests not associated with any particular commodity;
- Updating of previously provided pest list(s).

In general, requests should be as specific as possible to the pests, commodities, and circumstances of concern to the contracting party. Requesting or providing a complete list of all regulated pests should be avoided as it may involve considerable effort and provide much more information than is needed. Regulations may be provided where adequate pest lists are included in regulations.

Both requests and responses for lists of regulated pests or lists of specified regulated pests should be through official contact points as available and are updated in the form and format (including Internet) used by the NPPO responsible for the list.

Pest lists should be provided by NPPOs in a timely manner, with highest priority given to requests for lists necessary for phytosanitary certification or to facilitate the movement of commodities in trade.

## **6.3 Format and language**

Lists of regulated pests established and maintained by the NPPO may be in the language preferred by the contracting party responsible for the list. Lists of regulated pests or lists of specified regulated pests made available to the Secretary, regional plant protection organizations, and in response to requests from other NPPOs must be provided in one of the five official languages of FAO (Article XIX.3c).

Pest lists may be provided in electronic format or by access to an appropriately structured Internet website where NPPOs have indicated this possibility and the corresponding organization (Secretary, RPPO, or NPPO) have the capability for such access and have indicated willingness to use this form of transmittal.